



The Comptroller General
of the United States

Washington, D.C. 20548

Timmerman

Decision

Matter of Charleston Auto Processors, Inc.

File: B-235369

Date: May 11, 1989

DIGEST

The General Accounting Office will not consider a matter that is essentially a dispute between private parties.

DECISION

Charleston Auto Processors, Inc., protests any award of a contract to Unified Aircraft, Inc., under request for proposals (RFP) No. DAHC23-88-R-0010, issued by the Army for automotive processing services. Charleston asserts that two of its employees conspired with Unified, a competitor, to obtain confidential information from the protester.

This matter essentially concerns a dispute between private parties which this Office will not adjudicate in the context of a bid protest. Kempter-Rossman International, B-232402.2, Mar. 1, 1989, 89-1 CPD ¶ 213. Moreover, to the extent that Unified's eligibility for award is affected by the alleged improper conduct of Charleston's two employees, it involves Unified's responsibility as a prospective contractor. Federal Acquisition Regulation § 9.104-1. The decision as to whether a firm is responsible is largely within the discretion of the contracting officer, and our Office will not review an affirmative determination in that regard except in limited circumstances that do not appear to be applicable here. Bid Protest Regulations, 4 C.F.R. § 21.3(m)(5) (1988); Meldick Services Inc., B-231072, May 3, 1988, 88-1 CPD ¶ 433.

The protest is dismissed.

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